

M8PKHARP

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

-----x

3 UNITED STATES OF AMERICA,

4 v.

22 CR 457 (LTS)

5 AIMEE HARRIS,

6 Defendant.

7 -----x

8 New York, N.Y.
9 August 25, 2022
12:10 p.m.

Before:

10 HON. SARAH L. CAVE,

11 Magistrate Judge

12 APPEARANCES

13 DAMIAN WILLIAMS

14 United States Attorney for the
15 Southern District of New York

JACQUELINE KELLY

16 MITZI STEINER

Assistant United States Attorneys

17 SANFORD N. TALKIN

18 Attorney for Defendant

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(Case called)

MS. STEINER: Good afternoon, your Honor. Mitzi Steiner and Jacqueline Kelly, for the government.

THE COURT: Good afternoon.

MR. TALKIN: Good afternoon, your Honor. Sam Talkin, for Ms. Harris, who is seated to my right.

THE COURT: Good afternoon.

Good afternoon, Ms. Harris. I'm Magistrate Judge Cave.

Ms. Steiner, our first order of business is the presentment.

May I have the date and time of arrest or surrender?

MS. STEINER: Yes, your Honor. Ms. Harris surrendered this morning, at approximately 7:45 a.m.

THE COURT: Thank you.

So, the initial purpose of today's proceeding, Ms. Harris, is because you've been charged with certain crimes in an information. So, the initial purpose of today's proceeding is to advise you of certain rights that you have, inform you of the charge against you, consider whether counsel should be appointed, and decide under what conditions, if any, you will be released pending trial.

I'll now explain certain constitutional rights that you have.

You have the right to remain silent. You're not

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1 required to make any statements. Even if you've already made
2 statements to the authorities, you do not need to make any
3 further statements. Any statements that you do make can be
4 used against you.

5 You have the right to be released, either
6 conditionally or unconditionally, pending trial unless I find
7 that there are no conditions that would reasonably assure your
8 presence at future court appearances and the safety of the
9 community.

10 If you are not a U.S. citizen, you have the right to
11 request that a government attorney or law enforcement official
12 notify a consular officer from your country that you have been
13 arrested. In some cases, a treaty or other agreement may
14 require the United States Government to give that notice
15 whether you request it or not.

16 You have the right to be represented by an attorney
17 during all court proceedings, including this one, and during
18 all questioning by the authorities.

19 You have the right to hire your own attorney. If you
20 cannot afford an attorney, the Court will appoint one to
21 represent you.

22 Do you understand all the rights I have just
23 explained, ma'am?

24 THE DEFENDANT: Yes, ma'am.

25 THE COURT: Thank you.

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1 And, Mr. Talkin, you don't need to be appointed; is
2 that right?

3 MR. TALKIN: Correct.

4 THE COURT: Okay.

5 So, the United States Attorney, Ms. Harris, has
6 charged you in an information with certain felony offenses.

7 Count One of the information charges that in
8 September 2020, you and another person conspired to steal,
9 transport across state lines, and sell personal property
10 belonging to another person, in violation of 18, U.S.C.,
11 Section 371.

12 Mr. Talkin, do you have a copy of the information?

13 MR. TALKIN: I do, your Honor.

14 THE COURT: And have you reviewed it with Ms. Harris?

15 MR. TALKIN: Yes, I have.

16 THE COURT: Does she waive a full public reading
17 today?

18 MR. TALKIN: She does.

19 THE COURT: Ms. Harris, you have the constitutional
20 right to be charged by indictment by a grand jury. The
21 information filed by the United States Attorney is simply a
22 notice of the charges against you. Because you're charged with
23 a felony offense, you can be charged by information only if you
24 waive your constitutional right to an indictment.

25 An indictment is when a grand jury hears evidence

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1 about the alleged offenses and returns an indictment finding
2 probable cause to believe that you committed the alleged crimes
3 described in the information.

4 A grand jury consists of 23 persons, 16 of which must
5 be present to hear the case, and at least 12 grand jurors must
6 find probable cause in order for you to be indicted.

7 Have you discussed with Mr. Talkin your right to
8 indictment by the grand jury?

9 THE DEFENDANT: Yes, your Honor.

10 THE COURT: And do you understand you have the right
11 to be indicted by a grand jury?

12 THE DEFENDANT: Yes, your Honor.

13 THE COURT: Have any threats or promises been made to
14 induce you to waive your right to indictment?

15 THE DEFENDANT: No.

16 THE COURT: Do you, in fact, wish to waive your right
17 to indictment by a grand jury?

18 THE DEFENDANT: Yes.

19 THE COURT: Mr. Talkin, is there any reason that
20 Ms. Harris should not waive indictment?

21 MR. TALKIN: No, your Honor.

22 THE COURT: I do have before me a signed waiver of
23 indictment. I find that the waiver of indictment has been
24 knowingly and voluntarily made by Ms. Harris. We'll accept her
25 waiver, and the record will reflect that she has waived

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1 indictment.

2 Mr. Talkin, is your client prepared to enter a plea to
3 the information at this time?

4 MR. TALKIN: She is, your Honor.

5 THE COURT: Okay. And what is that plea?

6 MR. TALKIN: She offers to enter a plea of guilty to
7 the lone count of the information.

8 THE COURT: So we'll now proceed to the plea
9 allocution, but the record will reflect that Ms. Harris has
10 been arraigned.

11 Ms. Harris, I have before me a form entitled "Consent
12 To Proceed Before A United States Magistrate Judge On A Felony
13 Plea Allocution," that has your signature, what appears to be
14 your signature.

15 What this form says is that, knowing that you have the
16 right to have your plea taken by a United States district
17 judge, you are agreeing to have the plea taken by me, a United
18 States magistrate judge.

19 Do you understand that?

20 THE DEFENDANT: Yes, ma'am.

21 THE COURT: And, is that correct, do you, in fact,
22 consent to have me hear your plea allocution?

23 THE DEFENDANT: Yes, ma'am.

24 THE COURT: Did you, in fact, sign this consent that I
25 have before me?

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1 THE DEFENDANT: Yes.

2 THE COURT: Thank you very much. I will accept your
3 consent.

4 I'll now ask my deputy to swear in Ms. Harris.

5 (Defendant sworn)

6 THE COURT: Thank you. You can be seated.

7 Now, the purpose of this next stage of the proceeding,
8 Ms. Harris, is to make sure that you understand your rights, to
9 decide whether you are pleading guilty of your own free will,
10 and to make sure you're pleading guilty because you are guilty
11 and not for some other reason.

12 Do you understand that any statements you make here
13 may be used against you in a prosecution for perjury or making
14 false statements?

15 THE DEFENDANT: Yes.

16 THE COURT: Can you please state your full name for
17 the record? And if it's easier for you, take your mask down
18 while you're speaking, so we can hear you.

19 THE DEFENDANT: Aimee Leanne Harris.

20 THE COURT: How old are you, ma'am?

21 THE DEFENDANT: Forty.

22 THE COURT: Are you a citizen of the United States?

23 THE DEFENDANT: Yes, ma'am.

24 THE COURT: Are you able to read and write in English?

25 THE DEFENDANT: Yes.

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1 THE COURT: How far did you go in school?

2 THE DEFENDANT: Some college.

3 THE COURT: Are you now, or have you recently been,
4 under the continuing care of a doctor or psychiatrist for any
5 reason?

6 THE DEFENDANT: No.

7 THE COURT: Have you been hospitalized in the past for
8 mental illness?

9 THE DEFENDANT: No.

10 THE COURT: Have you been hospitalized in the past for
11 alcoholism?

12 THE DEFENDANT: No.

13 THE COURT: Have you been hospitalized in the past for
14 narcotics addiction?

15 THE DEFENDANT: No.

16 THE COURT: As you sit here today, are you under the
17 influence of any mind-altering drug or alcoholic drink?

18 THE DEFENDANT: No.

19 THE COURT: And, so far, have you been able to
20 understand everything I've said to you?

21 THE DEFENDANT: Yes.

22 THE COURT: Have you seen a copy of the information in
23 this case?

24 THE DEFENDANT: Yes.

25 THE COURT: And have you read it?

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1 THE DEFENDANT: Yes.

2 THE COURT: And do you understand what it says you
3 did?

4 THE DEFENDANT: Yes.

5 THE COURT: Have you had a chance to discuss the
6 charges and how you wish to plead with Mr. Talkin?

7 THE DEFENDANT: Yes.

8 THE COURT: Are you satisfied with his representation
9 of you?

10 THE DEFENDANT: Yes.

11 THE COURT: Have you had a full opportunity to discuss
12 the case with him?

13 THE DEFENDANT: Yes.

14 THE COURT: And are you ready to enter a plea today?

15 THE DEFENDANT: Yes.

16 THE COURT: Pursuant to Federal Rule of Criminal
17 Procedure 5(f), I want to confirm that the government is aware
18 of and has fulfilled its obligations under *Brady v. Maryland*
19 and its progeny to disclose to the defense all information,
20 whether admissible or not, that is favorable to Ms. Harris,
21 material either to guilt or to punishment, and known to the
22 government.

23 MS. STEINER: Yes, your Honor, the government has --
24 is aware of its obligations and has fulfilled them in this
25 case.

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1 THE COURT: Thank you very much.

2 Ms. Harris, Count One of the information, as I
3 mentioned earlier, charges you with conspiracy to commit
4 interstate transportation of stolen property, in violation of
5 18, U.S.C., Section 371 and 2314.

6 Do you understand these charges?

7 THE DEFENDANT: Yes.

8 THE COURT: And how do you wish to plead, guilty or
9 not guilty?

10 THE DEFENDANT: Guilty.

11 THE COURT: Now, with respect to the count charging
12 you with conspiracy to commit interstate transportation of
13 stolen property, I want you to understand that the maximum
14 penalty is a prison term of five years, a term of supervised
15 release of three years, a fine of as much as \$250,000 or twice
16 what was gained because of the criminal activity, or twice what
17 someone other than yourself lost because of the criminal
18 activity, and a mandatory special assessment of \$100.

19 Do you understand that?

20 THE DEFENDANT: Yes.

21 THE COURT: Do you understand that as part of your
22 guilty plea, you are required to give up, or forfeit, to the
23 government any money or property you received from the offense
24 or that was used to commit the offense?

25 Do you understand?

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1 THE DEFENDANT: Yes.

2 THE COURT: Specifically, you're agreeing to forfeit
3 to the United States \$20,000, representing proceeds traceable
4 to the commission of the offense to which you're pleading
5 guilty.

6 Do you understand that?

7 THE DEFENDANT: Yes.

8 THE COURT: In addition, the Court could order you to
9 pay restitution to any victims. Do you understand that?

10 THE DEFENDANT: Yes.

11 THE COURT: Do you also understand that if, as part of
12 your sentence, you are placed on a term of supervised release,
13 and then violated any of the conditions of that release, you
14 could face an additional term of imprisonment?

15 THE DEFENDANT: Yes.

16 THE COURT: You told me earlier that you're a citizen
17 of the United States.

18 By law, I must tell that if, in fact, you are not a
19 United States citizen, a guilty plea means you may be removed
20 from the United States and denied admission to the United
21 States or citizenship in the future.

22 Do you understand that?

23 THE DEFENDANT: Yes.

24 THE COURT: Do you understand that you have a right to
25 plead not guilty to this charge and a right to a jury trial if

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1 you wish?

2 THE DEFENDANT: Yes.

3 THE COURT: Do you understand that if you pled not
4 guilty and went to trial, you would be presumed innocent, and
5 the burden would be on the government to prove your guilt
6 beyond a reasonable doubt to a jury of 12 people?

7 THE DEFENDANT: Yes.

8 THE COURT: I want you to understand there are a
9 number of other rights you would have if you pled not guilty
10 and went to trial.

11 If you went to trial, you would be entitled to be
12 represented by an attorney at all stages of the case, and if
13 you could not afford to hire an attorney, the Court would
14 provide one to you for free.

15 At a trial, you would be entitled to confront and
16 cross-examine any witnesses called by the government to testify
17 against you, you would be entitled to testify on your own
18 behalf, you could call witnesses and present evidence, and the
19 Court would compel the attendancy of witnesses you wished to
20 call at trial.

21 Also, at a trial, you would not be required to testify
22 against yourself.

23 If you were convicted at a trial, you would have the
24 right to appeal that verdict to a higher court.

25 Do you understand all the rights that I just

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1 described, ma'am?

2 THE DEFENDANT: Yes.

3 THE COURT: Do you understand you're giving up all
4 those rights if you plead guilty?

5 THE DEFENDANT: Yes.

6 THE COURT: Finally, if you do plead guilty, you're
7 giving up the right not to incriminate yourself, and I am going
8 to ask you questions about what you did to satisfy myself that
9 you are actually guilty.

10 By pleading guilty, you are admitting your factual as
11 well as your legal guilt. Do you understand that?

12 THE DEFENDANT: Yes.

13 THE COURT: I further advise you that many of the
14 civil rights that I described a moment ago, as well as the
15 right to vote, are controlled by state law, so the specific
16 consequences of a felony conviction will vary from state to
17 state.

18 Do you understand that if you enter a guilty plea, you
19 will not be able to withdraw this plea, there will be no trial,
20 and the only remaining step in this case will be the
21 sentencing?

22 Do you understand that?

23 THE DEFENDANT: Yes.

24 THE COURT: And do you understand that if you are
25 surprised or disappointed by your sentence, you are still bound

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1 by your guilty plea?

2 THE DEFENDANT: Yes.

3 THE COURT: I have before me a letter, dated
4 August 12, 2022, from the United States Attorney to your
5 attorney, containing a plea agreement.

6 Are you familiar with this letter?

7 THE DEFENDANT: Yes, your Honor.

8 THE COURT: Have you read it?

9 THE DEFENDANT: Yes.

10 THE COURT: Is that your signature on the last page?

11 THE DEFENDANT: Yes.

12 THE COURT: And before you signed it, did you discuss
13 it with Mr. Talkin?

14 THE DEFENDANT: Yes.

15 THE COURT: And did he explain to you all of the terms
16 and conditions?

17 THE DEFENDANT: Yes.

18 THE COURT: And apart from what's set forth in the
19 letter, have any promises been made to you in order to get you
20 to plead guilty?

21 THE DEFENDANT: No.

22 THE COURT: In reviewing the plea agreement, I note
23 that it contains an analysis of how part of our law of
24 sentencing, known as the sentencing guidelines, may impact any
25 prison term in your case.

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1 Based on that analysis, it states the conclusion that
2 the guideline sentencing range can be expected to be eight to
3 fourteen months, and the fine range of \$4,000 to \$40,000.

4 Do you understand that?

5 THE DEFENDANT: Yes.

6 THE COURT: Do you understand that the sentencing
7 judge, Chief Judge Swain, is required to make her own
8 independent calculation of the appropriate sentencing range
9 under the sentencing guidelines, and will also have the
10 discretion to give you a sentence below or above that range, up
11 to the maximum sentence of five years that I told you about
12 earlier? In addition to the sentencing guidelines, she will
13 also consider the factors set forth in 18, U.S.C., Section
14 3553(a).

15 Do you understand that?

16 THE DEFENDANT: Yes.

17 THE COURT: The factors set forth in Section 3553(a)
18 include, but are not limited to: The nature and circumstances
19 of the offense, your own history and characteristics, the need
20 for the sentence imposed to reflect the seriousness of the
21 crime, deter criminal conduct, and protect the public, while
22 also providing you with any needed education, training, or
23 medical care, as well as the kinds of sentences available.

24 Do you understand the factors that I have just
25 described?

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1 THE DEFENDANT: Yes, your Honor.

2 THE COURT: Thank you.

3 In other words, Chief Judge Swain will pronounce
4 whatever sentence she believes is the appropriate sentence for
5 you even if that sentence is different from the one in the plea
6 agreement.

7 Do you understand that?

8 THE DEFENDANT: Yes.

9 THE COURT: In addition, Chief Judge Swain will
10 consider the presentence report prepared by the probation
11 department in advance of your sentencing. Before your
12 sentence, you and the government will have an opportunity to
13 challenge the facts in the presentence report.

14 Do you understand that?

15 THE DEFENDANT: Yes.

16 THE COURT: Do you also understand that there is no
17 parole in the federal system; thus, if you are sentenced to
18 prison, you will not be released on parole. Do you understand
19 that?

20 THE DEFENDANT: Yes.

21 THE COURT: Do you also understand that under the
22 terms of the plea agreement, if Chief Judge Swain sentences you
23 to a prison term that is eight to fourteen months or less, you
24 are giving up your right to appeal that sentence or to
25 challenge it in any other way, such as through a writ of habeas

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1 corpus?

2 THE DEFENDANT: Yes.

3 THE COURT: Also, do you understand that the plea
4 agreement says that you cannot appeal any fine of \$40,000 or
5 less, and that you cannot appeal any lawful sentence of
6 supervised release?

7 THE DEFENDANT: Yes.

8 THE COURT: And do you understand that the plea
9 agreement also provides that you cannot appeal any forfeiture
10 order of \$20,000 or less?

11 THE DEFENDANT: Yes.

12 THE COURT: Do you also understand that the plea
13 agreement provides that you are giving up your right to
14 complain if the government withheld evidence from your attorney
15 that would have been helpful to you?

16 THE DEFENDANT: Yes.

17 THE COURT: Knowing all this, everything that I've
18 said to you, do you still wish to plead guilty to Count One of
19 the information?

20 THE DEFENDANT: Yes.

21 THE COURT: Has any force or have any threats been
22 used, either directly or indirectly, to influence how you plead
23 today?

24 THE DEFENDANT: No.

25 THE COURT: Is your plea voluntary, of your own free

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1 will?

2 THE DEFENDANT: Yes.

3 THE COURT: And did you, in fact, commit the offense
4 charged in Count One of the information?

5 THE DEFENDANT: Yes.

6 THE COURT: Now, before I ask you to tell me what you
7 did, I'll ask the government to summarize the elements of the
8 offense and, if they wish, tell me any evidence they would have
9 offered at trial.

10 MS. STEINER: Thank you, your Honor.

11 Ms. Harris is pleading guilty to a one-count
12 information charging her with conspiracy to commit interstate
13 transport of stolen property, in violation of 18, U.S.C., 371.

14 That crime has four elements:

15 First, that two or more persons agreed to commit an
16 offense against the United States, here, the interstate
17 transport of stolen property, in violation of 18, U.S.C., 2314;

18 Second, that Ms. Harris was a member of the agreement;

19 Third, that Ms. Harris joined the agreement knowing of
20 its objective, that is, to commit interstate transport of
21 stolen property and intending to join together with at least
22 one other coconspirator to achieve that purpose;

23 And, fourth, and finally, that at sometime during the
24 existence of the agreement, at least one of its members
25 performed an overt act in order to further the objective of the

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1 agreement.

2 The underlying offense here is interstate transport of
3 stolen property, in violation of Title 18, United States Code,
4 Section 2314. That provision has three elements:

5 First, that Ms. Harris transported or caused to be
6 transported in interstate commerce items of stolen or converted
7 or fraudulently obtained property, as described in the
8 information;

9 Second, that at the time of such transportation,
10 Ms. Harris knew that the property had been stolen or converted
11 or taken by fraud;

12 And, third, that the items had a value of \$5,000 or
13 more.

14 The government would also have to prove by a
15 preponderance of the evidence that venue in the Southern
16 District of New York is proper.

17 The government's evidence at trial would include,
18 among other things, the following: Text messages and emails,
19 phone records, bank records, a payment agreement, shipping
20 records, and witness testimony.

21 THE COURT: Thank you.

22 Ms. Harris, now it's time for you to tell me, in your
23 own words, what you did that makes you guilty of the charge to
24 which you're pleading guilty.

25 THE DEFENDANT: Okay.

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1 In September 2020, I found property, including a
2 journal, belonging to another person in a place where I was
3 living. Knowing that I did not have a right to take the
4 property, I agreed with another person and did cause a journal
5 to be transported from Florida to New York City. The value of
6 the journal was more than \$5,000. I know this because I did
7 not directly receive the money for the journal; the
8 organization that purchased it sent two payments of \$10,000
9 each for my benefit to lawyers that were representing me in a
10 child custody matter.

11 I sincerely apologize for my actions and know that
12 what I did was wrong illegal.

13 THE COURT: Okay. Thank you, Ms. Harris.

14 Did you know that the journal was going to be
15 transported across state lines?

16 THE DEFENDANT: Yes.

17 THE COURT: And you said that you knew that you did
18 not have a right to the property; is that right, the journal?

19 THE DEFENDANT: Yes.

20 THE COURT: Thank you.

21 Ms. Steiner, are there any other questions you'd like
22 me to ask Ms. Harris?

23 MS. STEINER: Yes, your Honor. The government would
24 appreciate if you could allocute the defendant as to additional
25 property that was taken in this case.

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1 THE COURT: Apart from the journal, Ms. Harris, was
2 there other property that you knew you did not have a right to,
3 but nevertheless took?

4 THE DEFENDANT: Yes.

5 THE COURT: And did you know that that property could
6 be -- did you intend that that property be transferred across
7 state lines?

8 THE DEFENDANT: Yes.

9 THE COURT: Ms. Steiner?

10 MS. STEINER: Thank you, your Honor.

11 And if you could also, additionally, ask the defendant
12 as to whether she personally transported that property across
13 state lines.

14 THE COURT: Ms. Harris, did you personally, yourself,
15 transport any of the property, that you knew you did not have a
16 right to, across state lines?

17 THE DEFENDANT: No, I did not.

18 (Pause)

19 MS. STEINER: Your Honor, if we could rephrase and ask
20 Ms. Harris if she traveled with others with the property across
21 state lines?

22 THE COURT: Ms. Harris, did you travel with a person
23 who was transporting property, stolen property, across state
24 lines?

25 THE DEFENDANT: Yes.

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1 THE COURT: All right, Ms. Steiner?

2 MS. STEINER: Thank you, your Honor. No further
3 questions.

4 THE COURT: Mr. Talkin, any questions you'd like me to
5 ask Ms. Harris?

6 MR. TALKIN: No. Thank you, your Honor.

7 THE COURT: Okay.

8 Ms. Steiner, are there any other provisions of the
9 plea agreement that you'd like me to go over with Ms. Harris?

10 MS. STEINER: No, your Honor.

11 THE COURT: Mr. Talkin?

12 MR. TALKIN: No. Thank you, your Honor.

13 THE COURT: On the basis of Ms. Harris' responses to
14 my questions and observation of her demeanor throughout today's
15 proceeding, I find that she is fully competent to enter an
16 informed plea at this time, and I also conclude that she
17 understands the nature of the charges and the consequences of
18 her plea.

19 Finally, I'm satisfied that her plea is voluntary and
20 that there is a factual basis for it.

21 So, I will recommend to Chief Judge Swain that the
22 proffered plea to Count One of the information be accepted.

23 I think we now have the matter of bail detention or
24 release.

25 Ms. Steiner, what is the government's position?

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1 MS. STEINER: Your Honor, the parties have an
2 agreed-upon bail package for the Court's consideration, which
3 includes: A \$50,000 personal recognizance bond, travel to be
4 restricted to the Continental United States, surrender of all
5 travel documents, and refraining from making any new
6 applications for such documents, drug testing, drug treatment,
7 mental health treatment, and supervision, as directed by
8 pretrial services, and adherence to all other standard
9 conditions of release.

10 THE COURT: Okay. Thank you, Ms. Steiner.

11 Mr. Talkin, is Ms. Harris going to be able to continue
12 her employment, do we know?

13 MR. TALKIN: At this time, we believe so.

14 THE COURT: Okay.

15 So I'm going to make as an additional condition that
16 she continue to or seek employment with the approval of
17 pretrial services.

18 And then I'm also going to add the usual condition of
19 not communicating with any codefendants, victims, or witnesses
20 unless in the presence of counsel.

21 Any objection to that?

22 MR. TALKIN: None, your Honor.

23 THE COURT: Okay.

24 Any clarifications, Mr. Talkin?

25 MR. TALKIN: Yes, just one clarification.

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1 THE COURT: Sure.

2 MR. TALKIN: Just going back to the beginning of the
3 allocution, you had asked her if she was under any treatment.
4 She is under the treatment of a therapist, but nothing that's
5 affecting her ability to understand what's going on today.

6 THE COURT: Okay.

7 Do you mind if I just ask her that question?

8 MR. TALKIN: Sure.

9 THE COURT: Without telling me the conditions that
10 you're under treatment for, does that condition impact your
11 ability to see, hear, think, reason, understand, or make
12 decisions?

13 THE DEFENDANT: Not today, no.

14 THE COURT: Okay.

15 So far, do you feel like you have had a clear head
16 throughout today's proceeding?

17 THE DEFENDANT: Yes, ma'am. Yes, your Honor.

18 THE COURT: And you've understood everything that I
19 and everyone else in the courtroom has said to you?

20 THE DEFENDANT: Yes.

21 THE COURT: Okay. Thank you for that clarification.

22 So I'm prepared to accept the recommendation of
23 counsel with the two additional clarifications.

24 So just so you understand, Ms. Harris, you will be
25 released --

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1 You didn't say, Ms. Steiner, but on her own signature
2 today?

3 MS. STEINER: Yes, your Honor.

4 THE COURT: So once you sign a bond in the amount of
5 \$50,000 today, you will be able to be released. Your travel
6 will be restricted to the Continental United States. You must
7 surrender any travel documents, and you may not make any new
8 applications. You will be subject to drug testing and
9 treatment and mental health evaluation and treatment, as
10 directed by pretrial services. You will be subject to pretrial
11 services' supervision, as directed. I'll ask you to continue
12 or seek employment with the approval of pretrial services.
13 And, finally, you may not contact any codefendants, victims, or
14 witnesses in this case unless in the presence of counsel.

15 Do you understand?

16 THE DEFENDANT: Yes.

17 THE COURT: Let me just warn you, Ms. Harris, if you
18 fail to appear in court as required, or if you violate any of
19 the conditions of your release, a warrant will be issued for
20 your arrest, you will be responsible for paying the full amount
21 of the bond – that is, \$50,000 – and you may be charged with a
22 separate crime of bail-jumping, which can mean additional jail
23 time and/or a fine.

24 If you commit a new offense while you're released, in
25 addition to the sentence for that offense, you will be

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1 sentenced to an additional term of imprisonment not more than
2 ten years if the offense is a felony or not more than one year
3 if the offense is a misdemeanor, and that term of imprisonment
4 is executed after any other sentence of imprisonment is
5 completed.

6 While you are awaiting sentencing, I must warn you not
7 to have any contact with or engage in any intimidation of
8 potential or designated witnesses, not to engage in any
9 intimidation of any court officer, and not to engage in any
10 conduct that would obstruct any investigation by law
11 enforcement.

12 Finally, if you don't agree with the conditions that I
13 have set, you have the right to appeal them.

14 Do you understand all those warnings I've just given
15 you, ma'am?

16 THE DEFENDANT: Yes.

17 THE COURT: Has Chief Judge Swain set a sentencing
18 date?

19 MS. STEINER: Yes, your Honor. The sentencing date
20 has been scheduled for December 6th, at 3:00 p.m.

21 THE COURT: Okay.

22 Anything further now, Ms. Steiner?

23 MS. STEINER: No, your Honor. Thank you.

24 THE COURT: Mr. Talkin?

25 MR. TALKIN: No.

M8PKHARP

1 THE COURT: Thank you.

2 Ms. Harris, I wish you the best.

3 We're adjourned, everyone.

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